

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TONY BLACKMAN,

1:05-cv-00188-LJO-DLB-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 19)

vs.

ORDER DISMISSING ACTION

A. SCRIBNER, et al.,

Defendants.

Plaintiff, Tony Blackman ("plaintiff"), a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On April 20, 2007, the Magistrate Judge filed [Findings and Recommendations](#) herein which were served on plaintiff and which contained notice to plaintiff that any objections to the Findings and Recommendations were to be filed on or before May 18, 2007. To date, plaintiff has not filed objections to the Magistrate Judge's Findings and Recommendations.

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1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed April 20, 2007,
8 are ADOPTED IN FULL; and,

9 2. This action is DISMISSED, without prejudice, based on
10 plaintiff's failure to comply with 42 U.S.C. § 1997e(a) by
11 exhausting his claim prior to filing suit.

12 IT IS SO ORDERED.

13 **Dated: June 19, 2007**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE